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ABSTRACT

The Coordinated Approach to Investigations and Information-Sharing (CAIIS) Project conducted research to clarify roles and responsibilities for investigating child abuse and neglect in 24-hour facilities. The goal of the project was to develop, refine, and disseminate model guidelines for investigating institutional child abuse and neglect reports in Texas. A pilot test was planned in which reporting forms were to be completed before and after a six month period of using the model guidelines in two regions. The data collected during the pilot test failed to substantiate high levels of compliance with the requirements of the model guidelines, partly due to shortcomings in the implementation of the project. Some positive impact was found on the reporting of abuses, but not on investigations. Investigation procedures of the Texas Youth Council, Texas School for the Deaf, and the Office of Youth Care Investigations are outlined as these agencies reportedly implemented the guidelines. Although the model guidelines were not formally validated, they were later adopted by all child-caring agencies in Texas. The evaluation makes recommendations, including statutory and regulatory changes, to correct fragmentation of reporting procedures that may affect levels of protection of children in 24-hour care facilities.(Author/CB)

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Final Report: Innovations in Protective Services

P.L. 93-247 Grant Award #08C23/08

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Coordinated Approach to Investigations and Information-Sharing

September 30, 1984

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PS 014740

COORDINATED APPROACH TO INVESTIGATIONS AND INFORMATION-SHARING

Final Report

September 1, 1982, through August 31, 1984

September 30, 1984

Submitted by

Texas Department of Human Resources
Office of the Deputy Commissioner for Programs
Martin A. Dukler, Deputy Commissioner

and

Protective Services for Children Branch
James C. Marquart, Ph.D., Assistant Commissioner
P.O. Box 2960
Austin, Texas 78769
(512) 450-3011

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Personnel in DHR's Austin headquarters who supported the project included Joe Papick, who served as program liaison for the Protective Services for Families and Children Branch. From the Office of Research, Demonstration, and Evaluation (ORDE)--headed by Assistant Commissioner Suzette Ashworth, Ph.D.--efforts were contributed by several members of ORDE's Research and Demonstration Division, which is administered by Kent Gummerman, Ph.D. Lucretia Dennis-Small monitored project progress and wrote the required federal reports. Nicholas Constant and Phyllis Jamar edited and produced the reports.

GENERAL INTRODUCTION

Six projects, funded by P.L. 93-247 state grant money and jointly entitled Innovations in Protective Services, tested ideas for improving protective services for children. Overall goals established for the six projects were to--

- o strengthen permanent planning,
- o maximize the use of volunteers,
- o strengthen intake and investigation,
- o strengthen in-home service delivery, and
- o expand the usefulness of information systems.

Additional goals and objectives were developed for each project.

The six projects are Project to Study Fair-Hearings Practices in Child Protective Services; Impact of Protective Services; Coordinated Approach to Investigations and Information-Sharing; Group Services for Child Protective Clients; Foster Child Advocate Services; and Multidisciplinary Institute for Child Sexual Abuse Intervention and Treatment Project.

Copies can be obtained by writing to--

Project Support and Utilization Section
Office of Research, Demonstration, and Evaluation
Texas Department of Human Resources
P.O. Box 2960 (MC 504-E)
Austin, Texas 78769

EXECUTIVE SUMMARY

The Coordinated Approach to Investigations and Information-Sharing CAIIS Project conducted research to clarify roles and responsibilities for investigations of child abuse/neglect in 24-hour facilities. The goal of the project was to develop, refine, and disseminate model guidelines for investigating institutional child abuse and neglect reports in Texas.

This final evaluation outlines the research that led to the testing of model guidelines developed by the project. Although the data collected during the pilot test failed to substantiate high levels of compliance with the requirements of the model guidelines, some positive impact was perceived. Investigations procedures of the Texas Youth Council (TYC), Texas School for the Deaf (TSD), and the Office of Youth Care Investigations (OYCI) are outlined as these agencies reportedly implemented the model guidelines. The evaluation makes recommendations, including statutory and regulatory changes, to correct fragmentation of reporting procedures that may affect levels of protection of children in 24-hour care facilities.

BACKGROUND

The Coordinated Approach to Investigations and Information-Sharing (CAIIS) Project was initiated by the Texas Department of Human Resources (DHR) in November 1982 under a grant from the National Center on Child Abuse and Neglect (NCCAN). The two-year project addresses the investigation of child abuse and neglect reports in public and private facilities that provide 24-hour child care for over 35,000 Texas children under 18 (Appendix A describes this population in some detail).

The project was developed in response to numerous problems and needs that have hindered the effectiveness and efficiency of institutional child abuse investigations, including--

- lack of clarity and gaps in statutory and regulatory mandates;
- conflicting and overlapping agency responsibilities;
- confusion concerning the reporting and tracking of institutional abuse complaints and investigation results;
- lack of consistency in investigative policies and procedures; and
- lack of knowledge, supportive documentation, and statistics concerning the actual nature and extent of institutional abuse.

PROJECT GOAL AND OBJECTIVES

The goal of the CAIIS Project is to develop, refine, and disseminate model guidelines for investigating institutional child abuse and neglect reports in Texas. The guidelines are designed to be appropriate for use by child protective services, all state agencies operating and/or regulating institutional facilities for children, and law enforcement authorities.

The guidelines are designed to coordinate the activities of all agencies and authorities in Texas with responsibilities for institutional child abuse and neglect investigations and to provide a model investigation process that could be used by the agencies. Addition-

ally, the project addresses the prevention of such abuse and neglect through staff training programs.

During the project's first year the staff completed the following objectives:

- o conducted an analysis of the legal and regulatory framework surrounding the investigation of institutional child abuse reports,
- o conducted a comprehensive literature search and compiled an extensive bibliography on the subject of institutional child abuse and neglect,
- o developed model guidelines for investigations of child abuse and neglect reports in institutional facilities, and
- o designed a pilot test for the model guidelines.

The second year of the CAIIS Project (during fiscal year 1984--September 1, 1983, through August 31, 1984) focused on testing and refining the model guidelines for investigations and attempted two major objectives:

- o conducting a pilot test of the model guidelines in two DHR regions (Austin and Houston) and
- o developing final model interagency guidelines for reporting and investigating child abuse and neglect reports in institutional child care facilities.

Additional activities during the project's second year included project dissemination, the revision of DHR policies on institutional abuse investigations, and the development of recommendations for statutory and regulatory changes.

ADVISORY COMMITTEE

A 24-member advisory committee constituted a notable feature of the project, indicating widespread awareness of the problem and support for its resolution. Committee members represented public child-caring agencies, regulatory authorities, law enforcement officials, and private residential child-caring groups (for details of the membership, see Appendix B). The committee provided advice to the

project staff and assisted with dissemination and implementation of the model guidelines.

RESEARCH DESIGN

REVIEW OF STATUTES, REGULATIONS, AND AGENCY POLICIES

During the first project year, the staff completed an analysis of relevant statutes, agency policies and procedures, and supporting materials used by agencies to investigate reports of child abuse and neglect in 24-hour facilities. Project management, with consultation provided by an interagency advisory committee, identified areas of responsibility, their overlaps, and the affected populations.

A summary of state and federal statutes and regulations affecting institutional child abuse was compiled and submitted to the advisory committee for review and comment. The project's staff completed a summary of policies of different agencies regarding access to and sharing of information about institutional child abuse and neglect investigations. The summaries address each agency's statutes, policies, and procedures on the following points:

- release of information during investigations of abuse and neglect,
- routine sharing of information between state agencies and law enforcement officials,
- federal and state statutes,
- attorney general opinions and open records decisions that relate to institutional abuse and neglect investigations,
- current policies and procedures of agencies in conducting institutional abuse and neglect investigations, and
- current legal and regulatory definitions of child abuse and neglect.

LITERATURE REVIEW

The project staff conducted a computer-based literature search through the National Center on Child Abuse and Neglect; collected bibliographies on institutional abuse investigations in 24-hour child care institutions; and collected books, articles, congressional reports, and other materials on the subject of institutional abuse investigations. An extensive bibliography was developed.

MODEL INTERAGENCY GUIDELINES

The model guidelines for conducting institutional child abuse investigations were drafted and revised twice during the first year of the project. The proposed Model for Child Abuse and Neglect Investigations in Institutional Child Care Facilities covered the following areas:

- proposed definitions of institutional child abuse and neglect;
- information on rights of institutionalized children--individual rights, protection and sustenance rights, rights to achievement of developmental goals consistent with abilities, and therapeutic and protective intervention rights;
- regulatory framework;
- guidelines for pilot testing the model for investigations;
- staff training; and
- maintenance and sharing of information and statistics on institutional abuse/neglect.

PILOT TEST

In order to assess the impact of the model guidelines on the investigations of the participating agencies, the project staff designed a pilot test. During the second year of the project, the participating agencies were to implement the model guidelines for a period of six months. Measures of variables expected to be affected by implementation of the model system were to be taken before start-up

and at the end of the six-month pilot test to assess outcomes. The assessment of the impact of the model guidelines was to be based on a one-group pretest-posttest approach. Impact would be assessed by comparing results before and after implementation.

The model guidelines were to be tested for a period of six months in two DHR regions: Region 6--including Austin, Waco, Bryan and the surrounding area of central Texas; and Region 11--including Houston, Galveston, and surrounding areas. In preparation for the pilot test, training sessions were to be held for staff members of participating agencies. In order to facilitate the collection of data, a reporting form was developed.

IMPACT OF MODEL GUIDELINES

This subsection discusses the impact of the model guidelines on investigations as measured by data from the pilot test. A later subsection deals with the extent to which the CAIIS Project's model was disseminated and implemented.

FINDINGS AND RESULTS

Shortcomings in the implementation of the designed project resulted in a lack of significant findings from the available data. First, unintended deviations from the project design undermined the original plan to assess pilot outcomes. The inability to collect pretest data on pilot test regions severely limited the usefulness of the final data in assessing project outcomes because of the lack of comparative data. In addition, the final pilot test data were flawed in two major ways: there were many reporting errors, and there were substantial gaps in the data. Finally, the data collected failed to substantiate high levels of compliance with the requirements of the model guidelines. (In a separate paper, "Analysis of Pilot Test Data," which is not included in this report, the evaluator detailed problems with the pilot test data.)

Secondly, semistructured interviews with staff members of participating agencies revealed that the pilot test of the model guidelines never occurred. Although reporting forms were completed and submitted by some of the agencies, the guidelines were, in fact, never implemented in those agencies. There is no basis to assess the impact of the model guidelines at this time. This information helps to clarify the problems in the data collected on the reporting forms. Although agencies completed forms, they did not prepare them in a

consistent manner according to the model guidelines (see later subsection "Dissemination and Implementation of Project Results").

Largely because of exogenous factors, the model guidelines have been adopted by the relevant agencies (see subsection "Statewide Adoption of Model Guidelines"). This has resulted in increased consistency in agency policies and procedures concerning institutional abuse investigations. The interviews suggest that the adoption of the interagency guidelines have had an effect primarily on reporting practices and less clearly on the quality of investigations (see dissemination and implementation subsection).

The paucity of data prevents further refinement of the model guidelines at this time. As data are gathered about the interagency guidelines, refinements can be developed.

CONCLUSIONS

The limited findings of the CAIIS Project are not supportive of strong conclusions. The findings suggest that the interagency guidelines are resulting in increased reporting of suspected cases of institutional abuse/neglect and the increased sharing of information with DHR, local law enforcement, and the Office of Youth Care Investigations (OYCI). Such reporting may result in more objective investigations because of the review by outside agencies. On the other hand the findings suggest that inconsistencies remain in many areas. For example, the Texas Department of Mental Health and Mental Retardation (MHMR) maintains broader definitions of abuse/neglect than those in the interagency guidelines. Also, the findings suggest that the quality of investigations has not necessarily improved.

The CAIIS Project's intervention model allows agencies to implement the model guidelines differently while investigating suspected abuse/neglect. This continuing fragmentation may affect the level of protection of children in 24-hour care facilities. A greater level of protection may result from investigations clearly focused on uncovering and remedying child abuse/neglect. The additional administrative and program concerns of the agencies operating the facilities may divert attention from this purpose.

There are two possible approaches to correcting this problem.

1. Strengthen the oversight role of OYCI, giving that agency clear authority to reopen investigations and to conduct investigations itself. This oversight can help ensure that investigations focus adequately on uncovering and remedying abuse.

2. Assign all investigations to a single independent agency with the clear mandate to investigate institutional abuse/neglect. This approach can help ensure both consistency and a clear focus on the issue of abuse/neglect.

Recommended Statutory Change

Chapter 34 of the Texas Family Code should be amended to include the mandate for investigation of suspected abuse/neglect of children in child care facilities or in other nonrelative care arrangements and to provide remedies for protection of children who have been abused/neglected or are in danger of injury from abuse/neglect. These remedies should include injunctive relief against the perpetrator and/or facility as well as protective conservatorship for the child. Responsibility for supervising the investigations and civil action should be delegated in one of three ways: (1) to OYCI--with the provision that the agency may delegate the conduct of investigations through contract; (2) to DHR; or (3) to the agency designated by the court for the protection of children.

Recommendations for Regulatory Scheme

Standards and regulations for all facilities providing care for children should include requirements for training staff members to recognize and report child abuse/neglect. Staff and administration should be clearly required to report all suspected incidents of abuse/neglect to the appropriate agencies without screening.

Recommendations for Further Research

The failure of this project to produce sufficient data leaves unresolved issues and a need for further research on (1) the impact of the project's intervention model and (2) the incidence and indicators of institutional abuse.

DISSEMINATION AND IMPLEMENTATION OF PROJECT RESULTS

Although there were insufficient evaluation data to formally validate the model guidelines, the project itself had positive out-

comes. The unvalidated model guidelines were adopted for statewide use, and there was a perceived increase in the consistency of investigations and the sharing of information among agencies.

STATEWIDE ADOPTION OF MODEL GUIDELINES

The first of these outcomes occurred largely through unforseen events. During the CAIIS Project, well-publicized incidents of suspected sexual abuse against residents at the Texas School for the Deaf raised widespread concern about the reporting and investigation of child abuse in institutions. In response, Governor White convened an interagency working group, which included many of the agencies participating in the CAIIS Project. As a result of the working group's efforts, which relied greatly on the project's first-year products, the CAIIS Project's model guidelines were adopted as interagency guidelines for investigations of abuse/neglect in child care facilities.

Although an unanticipated turn of events led to the adoption of the model guidelines by all child-caring agencies in Texas, some differences still exist among them. For example, MHMR maintains its broader definition of abuse/neglect, leading to investigations and findings that differ from those of other agencies. However, broader definition may be appropriate as agencies try to cope with the need for better quality services and protection of children, youth, and adults in care.

INTERAGENCY COORDINATION

Interviews with agency staff members revealed anecdotal information concerning the impact of the CAIIS Project.

Texas Youth Council (TYC)

- The adoption of the interagency guidelines caused TYC to revise procedures in order to notify DHR and local law enforcement agencies about suspected cases of abuse/neglect; in order to notify complainant of the findings of the investigations and the actions taken; in order to tighten time limits for investigations; and in order to intensify training about abuse/neglect.

- The revised procedures appear to be resulting in increased numbers of reports because of greater awareness of abuse/neglect.

- Agency staff members are uncomfortable with the requirement for reporting suspected cases to local law enforcement agencies because of the difficulties this creates for the falsely accused--especially in smaller communities.

Texas School for the Deaf (TSD)

- The interagency guidelines were implemented during the summer of 1984, and there has been too little experience to judge the impact.

- The guidelines provide a needed framework for investigations.

- Children will probably be better protected because of increased reporting.

Office of Youth Care Investigations (OYCI)

- The interagency guidelines resulted in more agencies reporting to OYCI. Consequently, children are better protected because now an outside agency is looking at some of these investigations for the first time.

- The interagency guidelines are changing the perspective on abuse/neglect--the issue is being seen as a problem of protecting children rather than simply as an administrative/personnel problem.

Through the efforts of the interagency working group, it appears that the CAIIS Project has resulted in a convergence of agency policies and procedures for the investigation of a abuse/neglect. The interviews with staff members of the affected agencies indicate that the CAIIS Project and the model guidelines will likely result in more reports/investigations, greater oversight, and better protection for children.

CONCLUSIONS

The information gathered suggests the following answers to questions concerning the dissemination and implementation of the project's model guidelines.

1. **Did the project result in a greater degree of consistency in agency policies and procedures concerning institutional abuse investigations?** The interviews suggest that the adoption of the interagency guidelines did increase the consistency of reporting practices, although they do not suggest that there have been changes in the quality of investigations.

2. **Did the project result in greater interagency cooperation in sharing information and conducting investigations?** The interviews also support an affirmative answer to this question.

APPENDIX A

Residential Child Care in Texas

During 1982, over 35,000 children under the age of 18 resided in out-of-home residential child-care facilities in Texas. These children required residential care for a variety of reasons including the need for foster care; emergency shelter; psychiatric and medical treatment; and rehabilitative, educational, and correctional services. Determining the total number of children who resided in residential child care facilities in the state during a given year is difficult with currently available statistics. The number, however, is well over 35,000. Table A-1 depicts the information currently available concerning the population of children served in residential child care facilities in Texas.

The figures in Table A-1 generally represent average daily populations and/or licensed capacities and do not indicate the total number of children who may have been served in each facility during the year. Not included in these totals are children residing in boarding schools or youth camps and juveniles held in detention centers for less than 24 hours.

TABLE A-1
Major Types and Population of 24-hour Care Facilities

Agency	Type of Facility	Number	
Texas Department of Human Resources	Basic Child Care Institutions	5,171	
	Emergency Shelters	377	
	Halfway Houses	81	
	Institutions for MR children	344	
	Residential Treatment Centers	1,870	
	Therapeutic Camps	248	
	Foster Group Homes	317	
	Foster Family Homes	102	
	Agency Group Homes	8,678	
	Agency Family Homes	627	
	SUBTOTAL	17,815	(a)
Texas School for the Blind		172	(b)
Texas School for the Deaf		272	(b)
Texas Youth Commission	Reception Centers	81	
	Training Schools	1,109	
	Alternate Care Programs	59	
	Halfway Houses	153	
	Contract Care	358	
	SUBTOTAL	1,760	(b)
Texas Department of Mental Health and Mental Retardation	State Hospitals	425	(b)
	State Schools (MR)	1,001	(b)
	Private Psychiatric Hospitals	2,320	(a)
	SUBTOTAL	3,746	
Texas Department of Health	ICF/MR	461	(a)
	Nursing Homes	62	(b)
	SUBTOTAL	523	
County Juvenile Boards	Juvenile Detention Facilities	10,908	(c)
	TOTAL	35,196	

(a) Licensed capacity.
(b) Actual enrollment.
(c) Juveniles detained for at least 24 hours (1981).

APPENDIX B

Advisory Committee

The CAIIS advisory committee consisted of representatives from--

- Advocacy, Incorporated
- Austin Police Department
- Office of the Attorney General, Medicaid Fraud Control Unit
- Office of Youth Care Investigations, Texas Governor's Office
- Texas Association of Licensed Children's Services
- Texas Council of Child Welfare Boards
- Texas Department of Health, Bureau of Long-Term Care
- Texas Department of Human Resources
  - --Agency and Institutional Licensing
  - --Community Care for the Aged and Disabled
  - --Institutional Placement Coordinator
  - --Investigator General's Office
  - --Legal Division
  - --Protective Services for Families and Children Branch
  - --Medical Services Consultant
- Texas Department of Mental Health and Mental Retardation, Office of Client Services and Rights Protection
- Texas Education Agency
- Texas Juvenile Probation Commission
- Texas Rehabilitation Commission
- Texas School for the Blind
- Texas School for the Deaf
- Texas Youth Commission